IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.38706 of 2008
RAM NIWAS YADAV @ PAGALA YADAV … Petitioner
Versus
THE STATE OF BIHAR … … Opp. Party
For the petitioner: Shri Ajay Kr. Thakur

For the State: Shri Dashrath Mehta, A.P.P.
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2. 15.10.2008 Heard Shri Aajay Kumar Thakur, learned counsel for the petitioner and Shri Dashrath Mewhta, learned Additional Public Prosecutor for the State.

The petitioner, who has some criminal history, was sought to be arrested by the police and in that course, the police learnt that the petitioner was hiding in the house of Bidhi Chand Yadav. When the police reached there, the petitioner slipped out leaving his country made pistol under a blanket found on a bed.

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As may appear from the facts of the case, the petitioner who bears a criminal history was hiding from the police and left behind an arm, considering which I am not inclined to direct the release of the petitioner.

The petition is dismissed.

However, as soon as the petitioner

completes one year of custody in Manihari P.S.Case No. 8 of 2003, G.R. No. 163 of 2003, from the date of his surrender and in case the trial being not concluded within that period, the petitioner shall be released on his furnishing a bond to the satisfaction of the Chief Judicial Magistrate, Katihar, himself.

(Dharnidhar Jha, J.)

Kanth

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